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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,751	08/28/2001	Yasuhiro Torimaru	108391-00019	3839

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EXAMINER

CONNOLLY, MARK A

ART UNIT	PAPER NUMBER
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2115

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/939,751	Applicant(s) TORIMARU ET AL.	
	Examiner Mark Connolly	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2001.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3, 5 and 11-22 is/are rejected.
7) ☒ Claim(s) 4 and 6-10 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-22 have been presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5, 12, 14, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matter et al [Matter] US Pat No 5392437.
4. Referring to claim, 1, Matter teaches the invention substantially including:
 - a. an oscillation circuit which oscillates and outputs an oscillation signal [fig. 3 and col. 8 lines 19-31]. The internal bus controller (201) is interpreted as the oscillation circuit and the clock signals NPXPH1 and NPXPH2 on line (210) are both interpreted as an oscillation signal.
 - b. a wakeup terminal that always receives a wakeup signal [fig. 3 and col. 8 lines 13-31]. The FCLKEN signal on line is interpreted as a wakeup signal.
 - c. a clock control circuit which controls said oscillation circuit so to stop the oscillation, and based on the wakeup signal received through said wakeup terminal controls said oscillation circuit so as to restart the oscillation [fig. 3 and col. 8 lines 19-31]. The internal bus controller (201) is also interpreted as the clock control circuit since it controls clocks NPXPH1 and NPXPH2.

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5. Referring to claim 2, because the wakeup signal causes the oscillation signal to restart from a stopped state, it is obvious that the wakeup signal could be nullified while the oscillation signal is output since the oscillation signal would not be disabled and therefore would not have to be restarted.

6. Referring to claim 3, Matter teaches the invention substantially including:

- d. an oscillation circuit which oscillates and outputs an oscillation signal and stops the oscillation during a period in which it receives an oscillation stop signal [col. 7 lines 44-46 and col. 8 lines 19-31].
- e. a wakeup terminal that receives a wakeup signal [col. 8 lines 19-31].
- f. a clock control circuit which receives the wakeup signal, and stops output of the oscillation stop signal based on the wakeup signal [col. 7 lines 44-46 and col. 8 lines 19-31].

Although FCLKEN is taught as causing the oscillation signal to both stop and restart, it is not taught specifically how it controls the operation of the oscillation signal. In particular, Matter only teaches that a wakeup signal is supplied to the oscillation circuit, which causes the oscillation signal to restart or become disabled. Because the oscillation circuit outputs the oscillation signal based on the FCLKEN, it is interpreted that the FCLKEN signal is used to generate a stop signal which controls the actual generation of the oscillation signal. It is further interpreted that when the FCLKEN signal indicates that a restart of the oscillation signal should occur, the generation of the stop signal will be ceased.

7. Referring to claim 5, this is rejected on the same basis as set forth hereinabove.

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8. Referring to claims 12, 14, 18 and 19, these are rejected on the same basis as set forth hereinabove.

9. Claims 11, 13, 15-17 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matter as applied to claims 1-3, 5, 12, 14, 18-19 above, and further in view of Stansell US Pat No 5886582.

10. Referring to claim 11, although Matter teaches stopping the oscillation signal, it is not explicitly taught to stop the oscillation signal based on a condition of the oscillation signal. Stansell explicitly teaches monitoring an output clock and disabling it when the clock is unstable [col. 2 lines 51-65]. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings in Stansell into the Matter system because it will provide a means to prevent any errors or prevent the Matter system from entering an unstable state due to an unstable clock.

11. Referring to claims 13 and 15, these are rejected on the same basis as set forth hereinabove.

12. Referring to claim 16, this is rejected on the same basis as set forth hereinabove. In addition, Stansell teaches that the clock is disabled during a time when the clock is either unstable or invalid [col. 2 lines 59-63]. This Furthermore, because the wakeup signal restarts the oscillation signal it is interpreted that the wakeup signal would stop the output of the stop signal.

13. Referring to claim 17, Stansell teaches stopping the clock signal when the clock signal is invalid [col. 2 lines 61-63].

14. Referring to claims 20-22, these are rejected on the same basis as set forth hereinabove.

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Allowable Subject Matter

15. Claims 4 and 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Connolly whose telephone number is (571) 272-3666. The examiner can normally be reached on M-F 8AM-5PM (except every first Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Connolly
Examiner
Art Unit 2115

mc
April 13, 2005


